

United States Bankruptcy Court
Northern District of Ohio

In re:
Keith William Latteri
Debtor

Case No. 24-50855-amk
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0647-5
Date Rcvd: Jul 12, 2024

User: bhemi
Form ID: pdf727

Page 1 of 2
Total Noticed: 7

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 14, 2024:

| Recip ID | Recipient Name and Address |
|----------|--|
| 27855138 | + Redwood Living Inc, 7007 E Pleasant Valley Rd, Independence, OH 44131-5543 |
| 27855140 | + Vivek Sharma, 4826 Westminster Lane, Broadview Heights, OH 44147-2065 |

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|---|----------------------|--|
| db | + Email/PDF: keith@latteri.net | Jul 12 2024 20:25:00 | Keith William Latteri, 939 Marks Road, Apt G, Brunswick, OH 44212-6622 |
| 27873918 | Email/PDF: bncnotices@becket-lee.com | Jul 12 2024 20:46:56 | American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701 |
| 27855139 | + Email/PDF: creditonebknotifications@resurgent.com | Jul 12 2024 20:32:11 | Credit One Bank, P.O. Box 98873, Las Vegas, NV 89193-8873 |
| 27855137 | + Email/Text: GSBankElectronicBankruptcyNotice@gs.com | Jul 12 2024 20:25:00 | Goldman Sachs Bank, Lockbox 6112, P.O. Box 7247, Philadelphia, PA 19170-0001 |
| 27855141 | + Email/Text: bknotice@stillmanlaw.com | Jul 12 2024 20:26:00 | Stillman Law Office, 30057 Orchard Lake Road, Suite 200, Farmington Hills, MI 48334-2265 |

TOTAL: 5

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|----------|---------------|--|
| cr | | Redwood Living, Inc. |
| 27872643 | | KeyBank N.A. 4910 Tiedeman Road Brooklyn, OH 44144 |

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 14, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 12, 2024 at the address(es) listed below:

| Name | Email Address |
|-------------------|--|
| Keith Rucinski | efilings@ch13akron.com |
| Robert G Friedman | on behalf of Creditor Redwood Living Inc. rfriedman@pfl-law.com, jcallam@pfl-law.com |

TOTAL: 2

This document was signed electronically on July 12, 2024, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: July 12, 2024



ALAN M. KOSCHIK
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|------------------------|---|-----------------------|
| In re |) | |
| |) | Case No. 24-50855 |
| KEITH WILLIAM LATTERI, |) | |
| |) | Chapter 13 |
| Debtor. |) | |
| |) | Judge Alan M. Koschik |
| |) | |

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On May 24, 2024, the above-captioned debtor (the “Debtor”) filed a *pro se* petition for relief under Chapter 13 of the Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.* The Debtor, who resides in Medina County, filed the petition in Cleveland. Pursuant to Local Bankruptcy Rule 1071-1, the Akron Court is the proper division for this case. The case was reassigned to the Akron Court on June 7, 2024, pursuant to an order signed by Judge Price Smith.

The Debtor failed to file certain documents required by law. Specifically, the Debtor failed to file: (1) Summary of Schedules and Statistical Summary; (2) Schedules A/B-J; (3)

Declaration re: Debtor's Schedules; (4) Statement of Financial Affairs; (5) Means Test Form; (6) Employee Income Records/Payment Advices; (7) Legal Description of All Real Property and Land Contracts; (8) Credit Counseling Certificate; and (9) Chapter 13 Plan (collectively the "Required Documents").

On June 12, 2024, the Court entered its Order Requiring Debtor to Appear and Show Cause For Failure to File the Required Documents (Docket No. 12) (the "Show Cause Order") directing the Debtor to appear and show cause why this case should not be dismissed for failure to file the Required Documents.

Simultaneously with the petition, the Debtor filed an Application to Pay the Filing Fee in Installments (Docket No. 4) (the "Application"). On May 30, 2024, eight days before the case was transferred to the Akron court location, the Application was granted administratively by clerk staff in the Court's Cleveland location (Docket No. 7) (the "Fee Installment Order"). Because it is the undersigned Judge's policy, barring extraordinary circumstances, not to grant applications to pay the filing fee in installments in a Chapter 13 case, the Court vacated the Fee Installment Order and set it for hearing to be heard along with the Show Cause Order (Docket No. 13).

The Court held a hearing on the Show Cause Order on June 27, 2024 (the "Hearing"). The Debtor appeared at the Hearing telephonically and requested an extension to file the Required Documents. The Court adjourned the hearing on the Show Cause Order and Fee Installment Order until the next chapter 13 docket on July 11, 2024. The Debtor did not file the Required Documents or pay the filing fee.

The Court held the continued Hearing on the Show Cause Order and Fee Installment Order on July 11, 2024. The Debtor again appeared telephonically at the continued Hearing and again requested an adjournment to file the Required Documents or to voluntarily dismiss his

chapter 7 case. The Court denied that request. The Court concludes that the Debtor's case has not been properly prosecuted.

Based on the foregoing,

IT IS HEREBY ORDERED THAT:

1. This bankruptcy case is **DISMISSED** for failure to prosecute.
2. The filing fee in the amount of \$313 remains due and owing.
3. The Court does not impose sanctions on the Debtor pursuant to 11 U.S.C.

§ 109(g) that would otherwise prevent a refiling within the next 180 days.

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